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U.S. DISTRICT COURT
DISTRICT OF UTAH
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff

**MOTION TO COMPEL IBM TO
PRODUCE SAMUEL J. PALMISANO
FOR DEPOSITION**

Case No. 2:03CV0294DAK
Honorable Dale A. Kimball
Magistrate Judge Brooke C. Wells

The SCO Group, Inc., by and through counsel hereby respectfully moves the Court to compel International Business Machines Corporation ("IBM") to produce Samuel J. Palmisano for deposition, for the reasons set forth in supporting memorandum filed herewith.

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DATED this 2th day of January, 2005.

Respectfully submitted,

HATCH, JAMES & DODGE, P.C.

Brent O. Hatch

Mark F. James

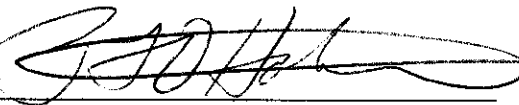
BOIES, SCHILLER & FLEXNER LLP

Robert Silver

Stephen N. Zack

Edward Normand

Sean Eskovitz

By 

Counsel for The SCO Group, Inc.

CERTIFICATE OF SERVICE

Plaintiff/Counterclaim Defendant, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing Motion to Compel IBM to Produce Samuel J. Palmisano for Deposition was served by mail on Defendant International Business Machines Corporation on the 2th day of January, 2005, by placing the same in U.S. Mail, postage prepaid to:

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A handwritten signature in black ink, appearing to be "H. O. S.", written over a horizontal line.